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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/099,853

03/13/2002

Matti Salmi

944-001.065

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07/16/2009

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EXAMINER

NGUYEN, THUONG

ART UNIT

PAPER NUMBER

2455

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: MATTI SALMI and FRANK DAWSON

Application 10/099,853
Technology Center 2400

Mailed: July 16, 2009

Before SHERRIE SAUNDERS-COBB, *Paralegal Specialist*
SAUNDERS-COBB, *Paralegal Specialist*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 30, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF REPLY BRIEF

A Reply Brief was filed in this application on March 20, 2008. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR CFR § 41.43(a)(1) and MPEP § 1208, part II.

INFORMATION DISCLOSURE STATEMENT

Appellants filed Information Disclosure Statements (IDS) dated April 11, 2007, and February 23, 2009. There is no indication on the record that the Examiner has considered the above IDS. MPEP § 609 requires the Examiner to consider any IDS filed by Applicant if timely submitted. A written communication notifying Appellant of the Examiner's consideration of the above IDS is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) consider the Reply Brief filed March 20, 2008 as indicated above;
- 2) consider the IDS filed April 11, 2007, and February 23, 2009;
- 3) for such further action as may be appropriate.

Application 10/099,853

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

Ssc

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